

NEBRASKA ADMINISTRATIVE CODE

TITLE 221 - DEPARTMENT OF LABOR

CHAPTER 3 - NOTICE TO EMPLOYER OF CLAIM FILED AND REQUEST FOR WAGE AND SEPARATION INFORMATION

001. This chapter is adopted pursuant to *Neb. Rev. Stat.* §§48-607, 48-612 and 48-652.

002. A. When a new claim is filed, the Department shall notify all current quarter employers and the employers for the preceding five quarters.

B. When a new claim is filed against an employer who was notified of a prior claim, and employment with that employer subsequent to the date of the original claim is not alleged, the employer shall receive notification of the new claim filing on a form prescribed and/or approved by the Commissioner, but chargeability shall be determined by the chargeability determination made on the prior claim.

003. When an individual who has previously established a benefit year renews his or her claim for benefits and alleges new employment, the Department shall notify any additional intervening employer.

004. A. The notification of a new claim filed or renewed claim shall be on a form prescribed and/or approved by the Commissioner and shall request a complete statement of any facts that may defer or deny benefits to the individual including allegations of misconduct or voluntary quits by the claimant and any additional information as the Department may deem necessary and request. Each employer notified shall promptly complete the form and return it so as to be received by the Department in seven days from the date mailed.

- B. Regardless of any finding or disqualification of benefits, in order for a contributory employer not to have its account charged for benefits under *Neb. Rev. Stat. §48-652(3)*, a contributory employer must provide the information requested pursuant to subsection (A) of this section within seven days of the date the request was mailed to the contributory employer.
005. If an individual has been employed by two or more employers in any quarter of the base period and the chronological order of employment is not definite, periods of employment within such calendar quarter shall be chargeable without regard to chronological order by the Department in a manner determined to be fair and equitable for all affected employers.
006. If an individual's base period wage credits represent part-time employment for a contributory employer, and the contributory employer continues to employ the individual to the same extent as during the base period, then the contributory employer's account shall not be charged if the contributory employer establishes such fact by submitting information as required in §004 of this chapter, and the individual can establish monetary eligibility for benefits because of a separation from one or more other employers. The provisions of this section shall not apply to the reimbursement account of any reimbursing employer.